

Technology in Commercial Law Enforcement: Tanzania, Canada, and Singapore Comparatively

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Abstract : The background of this research arises from global demands for fair business opportunities. As one of responses to these demands, nations embarked on reforms in commercial laws. In 1990s Tanzania resorted to economic transformation through liberalization to attract more investments included reform in commercial laws enforcement. This research scrutinizes the effectiveness of reforms in Tanzania in comparison with Canada and Singapore and the role of technology. The methodology to be used is doctrinal legal research mixed with international comparative legal research. It involves comparative analysis of library, online, and internet resources as well as Case Laws and Statutory Laws. Tanzania, Canada and Singapore are sampled comparators basing on their distinct level of economic development. The criteria of analysis includes the nature of reforms, type of technology, technological infrastructure and human resource technical competence in each country. As the world progresses towards reforms in commercial laws, improvements in law, policy, and regulatory frameworks are paramount. Specifically, commercial laws are essential in contract enforcement and dispute resolution and how it copes with modern technologies is a concern. Harnessing the best technology is necessary to cope with the modernity in world businesses. In line with this, Tanzania is improving its business environment, including law enforcement mechanisms that are supportive to investments. Reforms such as specialized commercial law enforcement coupled with alternative dispute resolutions such as arbitration, mediation, and reconciliation are emphasized. Court technology as one of the reform tools given high priority. This research evaluates the progress and the effectiveness of the reforms in Commercial Laws towards friendly business environment in Tanzania in comparison with Canada and Singapore. The experience of Tanzania is compared with Canada and Singapore to see what to improve for each country to enhance quick and fair enforcement of commercial law. The research proposes necessary global standards of procedures and in national laws to offer a business-friendly environment and the use of appropriate technology. Solutions are proposed in tackling the challenges of delays in enforcing Commercial Laws such as case management, funding, legal and procedural hindrances, laxity among staff, and abuse of Court process among litigants, all in line with modern technology. It is the finding of the research that proper use of technology has managed to reduce case backlogs and time taken to resolve a commercial dispute, to increase court integrity by minimizing human contacts in commercial law enforcement which may lead to solicitation of favors and saving of parties' time due to online service. Among the three countries, each one is facing a distinct challenge due to the level of poverty and remoteness from online service. How solutions are found in one country is a lesson to another. To conclude, this paper is suggesting solutions for improving the commercial law enforcement mechanisms in line with modern technology. The call for technological transformation is essential for the enforcement of commercial laws.

Keywords : commercial law, enforcement, technology

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